

**Amendments to the Claims:**

The following listing of claims will replace all prior versions, and listings, of claims in the application:

1-19. (Canceled)

20. (Currently Amended) A fuel cell system comprising:

a fuel cell which generates electricity by a chemical reaction between a fuel gas supplied to an anode side of the fuel cell and an oxidization gas supplied to a cathode side of the fuel cell;

~~an estimating device that estimates~~determining means for determining whether there is a possibility that a chemical short is occurring in the fuel cell when supply of the fuel gas and the oxidization gas to the fuel cell is stopped; and

~~a scavenging device that supplies~~scavenging means for supplying a scavenging gas to the cathode side when it has been ~~estimated~~determined that there is a possibility that the chemical short is ~~occurring~~occurring,

wherein the estimating means is provided with gas pressure detecting means for detecting a gas pressure of the fuel gas on the anode side of the fuel cell,

closing means for closing off the anode side of the fuel cell when supply of the fuel gas and the oxidization gas to the fuel cell is stopped,

gas pressure decrease amount obtaining means for obtaining a gas pressure decrease amount of the fuel gas sealed on the anode side by the anode side being closed off by the closing means,

consumption amount determining means for determining a consumption amount of the oxidization gas on the cathode side by the obtained gas pressure decrease amount, and

chemical short possibility determining means for determining that there is a possibility that the chemical short is occurring when the determined consumption amount is greater than a third reference value.

21. (Canceled)

22. (Currently Amended) The fuel cell system according to ~~claim 21, claim 20,~~ wherein the gas pressure decrease amount obtaining means detects~~gas pressure detecting device is adapted to detect~~ a first gas pressure of the fuel gas sealed on the anode side after a first predetermined period of time has passed after the anode side of the fuel cell is closed off, and ~~to detect~~detects a second gas pressure of the fuel gas sealed on the anode side after a second predetermined period of time has passed after the first gas pressure is detected, and ~~to obtain~~obtains a difference between the first gas pressure and the second gas pressure is ~~obtained~~ as the gas pressure decrease amount.

23. (Currently Amended) The fuel cell system according to claim 20, wherein the ~~estimating device~~determining means is provided with ~~concentration detecting device~~ concentration means for detecting a gas concentration of the oxidization gas on the cathode side, and the ~~estimating device is adapted to estimate~~determining means determines that there is a possibility that the chemical short is occurring when it has been determined that the gas concentration of the oxidization gas remaining on the cathode side of the fuel cell has decreased to less than a second reference value when supply of the fuel gas and the oxidization gas to the fuel cell is stopped.

24. (Canceled)

25. (Currently Amended) The fuel cell system according to claim 20, wherein the ~~estimating device is adapted to~~ determining means determines again, estimate again, when it has been ~~estimated~~ determined that there is a possibility that the chemical short is occurring, whether there is a possibility that the chemical short is occurring, and the scavenging ~~device~~

~~means adapted to supply~~ supplies the scavenging gas to the cathode side when it has been ~~estimated~~ determined again that there is a possibility that the chemical short is occurring.

26. (Previously Presented) The fuel cell system according to claim 20, wherein the fuel gas is hydrogen gas, the oxidization gas is air, and the scavenging gas is a small amount of air.

27. (Currently Amended) The fuel cell system according to claim 20, wherein the scavenging ~~device is adapted to supply~~ means supplies to the cathode side an amount of the oxidization gas that is less than the amount of the oxidization gas supplied to the cathode side when the fuel cell is idling, when it has been ~~estimated~~ determined that there is a possibility that the chemical short is occurring.

28-31. (Canceled)

32. (Currently Amended) A control method for a fuel cell system provided with a fuel cell that generates electricity by a chemical reaction between a fuel gas supplied to an anode side of the fuel cell and an oxidization gas supplied to a cathode side of the fuel cell, comprising:

~~estimating~~ determining whether there is a possibility that a chemical short is occurring in the fuel cell when supply of the fuel gas and the oxidization gas to the fuel cell is stopped; and

supplying a scavenging gas to the cathode side when it has been ~~estimated~~ determined that there is a possibility that the chemical short is ~~occurring~~ occurring.

detecting a gas pressure of the fuel gas on the anode side of the fuel cell,

obtaining, by the detection, a gas pressure decrease amount  $\Delta P$  of the fuel gas sealed on the anode side by the anode side being closed off,

determining a consumption amount of the oxidation gas on the cathode side by the obtained gas pressure decrease amount  $\Delta P$ , and determining the possibility that the

chemical short is occurring when the determined consumption amount is greater than a third predetermined value.

33. (New) The control method for a fuel cell system according to claim 32, wherein the detecting a gas pressure detects a first gas pressure of the fuel gas sealed on the anode side after a first predetermined period of time  $t_1$  has passed after the anode side of the fuel cell is closed off, and detects a second gas pressure  $P_2$  of the fuel gas sealed on the anode side after a second predetermined period of time has passed after the first gas pressure  $P_1$  is detected, and obtains a difference between the first gas pressure  $P_1$  and the second gas pressure  $P_2$  as the gas pressure decrease amount  $\Delta P$ .

34. (New) The control method for a fuel cell system according to claim 32, wherein the determining a consumption amount determines the consumption amount again when it has been determined that the chemical short is occurring or whether there is a possibility that the chemical short is occurring, and the supplying a scavenging gas supplies the scavenging gas to the cathode side when it has been determined again that there is a possibility that the chemical short is occurring.

35. (New) The fuel cell system according to claim 1, wherein the fuel gas is hydrogen gas, the oxidation gas is air, and the scavenging gas is a small amount of air.

36. (New) The fuel cell system according to claim 1, wherein the supplying a scavenging gas supplies to the cathode side an amount of the oxidation gas that is less than an amount of the oxidation gas supplied to the cathode side when the fuel cell is idling, when it has been determined that there is a possibility that the chemical short is occurring.